

REMARKS

Claims 1, 2, 4, 5, 8-24 and 27-54 are pending in which claims 3, 6, 7, 25, 26 and 55-62 are canceled herein without prejudice. In the Office Action, the prior objection to claim 7 was reversed, and the rejections of the prior amendment were substantially maintained except for the rejection of claim 7 under 35 U.S.C. §103(a) as being unpatentable over Graves in view of Teicher. In the final Office Action, claims 1-5, and 55-58 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves, claims 6, 8-13 and 59 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves in view of Teicher, claim 14 was rejected under 35 U.S.C. §103(a) as being unpatentable over Graves in view of Teicher and further in view of O'Leary, claims 15, 16, 60 and 62 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves and Teicher and further in view of Kinker, claims 17-19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves, Teicher and Kinker and further in view of O'Leary, claims 20-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves, Teicher and Kramer, claims 23 and 61 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves, Teicher and Kramer and further in view of Kinker, claims 24-36 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves, Teicher and Kramer and further in view of O'Leary, claims 37-39 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves and Teicher, claims 40-47, 49 and 50 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves and Teicher and further in view of Kramer, claim 48 was rejected under 35 U.S.C. §103(a) as being unpatentable over Graves and Teicher and further in view of Kinker, claim 51 was rejected under 35 U.S.C. §103(a) as being unpatentable over Graves and Teicher and

further in view of O'Leary, claim 52 was rejected under 35 U.S.C. §103(a) as being unpatentable over Graves and Teicher and further in view of O'Leary, claim 53 was rejected under 35 U.S.C. §103(a) as being unpatentable over Graves and Teicher and further in view of Kinker, and claim 54 was rejected under 35 U.S.C. §103(a) as being unpatentable over Graves and Teicher and further in view of O'Leary.

Claims 1, 8, 9, 15-23, 36, 37, 45 – 47, 49, 50 and 53 are amended to replace “cash account” with --prepaid account--. The disclosure employs the term “prepaid cash account” in various places including page 4, line 21 of the application as filed so that such amendment does not add new matter. At the time of filing of the present application in the relatively early days of prepaid and stored-value cash systems, the terms “prepaid account” and “cash account” and “prepaid cash account” were used synonymously. At the present time, however, the industry appears to have adopted the term “prepaid account” or “debit account” so that the present amendment is made to more closely align with present practice. Applicant requests approval of this amendment.

Claims 1, 20, 33, 37, and 41 are amended to replace “issuing bank” with --sponsoring bank-- for clarity. The disclosure employs the term “sponsoring bank” in various places including page 6, line 4 of the application as filed so that such amendment does not add new matter. The term “sponsoring bank” more accurately describes the role of the bank as known to those skilled in the art. Applicant requests approval of this amendment.

Claim 7 was objected to as depending on a rejected base claim, but was otherwise considered allowable.

Claim 7 depended on claim 6, which depended on claim 3, which depended on claim 1. The substance of claims 3, 6 and 7 are incorporated into claim 1 and claims 3, 6 and 7 are canceled. Thus, claim 1 is allowable as stated in the Office Action. Claims Claim 4 and 8 are amended herein to depend on claim 1 rather than canceled claim 3. Claims 2, 4, 5 and 8-19 are thus allowable as depending upon allowable claim 1. The rejections of these claims are now moot. Applicant respectfully requests withdrawal of the rejections of these claims and allowance of these claims.

Preliminarily, claim 20 is amended to remove extraneous language and unnecessary limitations of receiving a request from the user for a valid charge number and providing a selected one of the plurality of purchase numbers via the electronic communications network in response to the request. Claim 24 is amended in accordance with the amendment of claim 20 in which the providing a selected one of the plurality of purchase numbers via the electronic communications network to consummate the purchase transaction is added therein. Claims 25 and 26 are canceled without prejudice and in accordance with the amendments of claims 20 and 24. Claim 27 is amended to add the deleted portions of claim 20 and claim 28 is amended to depend upon claim 27 rather than claim 20.

Applicant respectfully traverses the §103(a) rejection of claim 20 as being unpatentable over Graves, Teicher and Kramer.

Contrary to that stated in the Office Action, Graves does not show “configuring an issuing system to interface the charge settlement network and to operate as processor of the plurality of valid charge numbers” and “configuring the issuing system to interface

the electronic communications network to conduct *purchase* transactions" (emphasis added) as recited in claim 20.

In Graves, it is the stored-value card data management system 14 (including central processor 16 and database 18) that processes the stored-value card data (see Graves, FIGs 1-3, Abstract, col. 6, lines 25-48). As clearly described in Graves, the host bank 20 is not the processor since transactions are sent through the host bank 20 to the card data management system 14 (see, e.g., col. 6, lines 56-58). Graves discusses alternative communications networks, yet ultimately the card data is routed to and processed by a "host" system, which includes the central processor 16 (Graves, col. 6, line 58 to col. 7, line 8). Thus, it is Graves' stored-value card data management system 14 or other "host" system which includes the "central processor" that corresponds to Applicant's issuing system.

The stored-value card data management system 14 or other management system or central processor of Graves is not configured to conduct purchase transactions. This is clearly illustrated by FIG. 6 of Graves and corresponding discussion, which shows and describes an exemplary modular architecture of the stored-value card data management system 14. As shown, the processing modules 60, 62 and 64 are for processing activation requests, incrementing requests, and deactivation requests, respectively. There are no processing modules associated with purchase or use transactions. The type of prepaid cards described in Graves are the same as or substantially similar to the prior-art cards described in Graves, particularly concerning usage of the cards for purchase transactions. This is because Graves does not attempt to change or handle usage or purchase transactions of such cards, but instead Graves is directed towards modifying prepaid card

systems to control activation, deactivation and recharge of such cards, as in Graves col. 1, line 63 – col. 2, line 32.

Graves central processor or host system, which performs the processing functions, is limited to activation, deactivation, and incrementing (see, e.g., Graves, col. 7, lines 34 – 37). Graves' abstract and summary both state that “[t]he stored-value card data is configured to securely process in real time stored-value cards transacted by respective users to enable charging prepaid stored-value services to a recipient of the transacted stored-value card”, but this does not mean that Graves' management system is configured to actually conduct the purchase transactions themselves. Instead, the purchase transaction processing is up to the 3<sup>rd</sup> party card issuer. Graves col. 1, lines 52-62 describes an exemplary use of a prepaid long distance card. As described therein, the customer dials a phone number to access “the card issuer's system”, enters an identification number, and makes the long distance call. In this illustration, Graves' management system is not involved in the actual use of the card for purchasing telephone services, but instead it is the card issuer's system that processes this purchase transaction, such as a phone company.

The same is true for the other types of cards listed in col. 5 of Graves. When the customer uses the prepaid telecommunications card, the transaction is conducted with the telecommunications service provider; when the customer uses the prepaid wireless card, the transaction is conducted with the wireless service provider; when the customer uses the prepaid paging card, the transaction is conducted with the paging service provider; when the customer uses the prepaid Internet access card, the transaction is conducted with the Internet service provider; when the customer uses the gift stored-value card, the

transaction is conducted with the particular merchant issuing the card, which is usually branded on the face of the card; and so on.

As stated by the Examiner in the Office Action, Graves does not show establishing a cash account for the user. It was further stated that Teicher discloses associating various cards with an existing bank account and the opening a new account is known in the financial services industry. Applicant respectfully traverses the assertion that it would be obvious to modify the invention of Graves based on the teachings of Teicher. Although both references employ the term “stored-value”, this term means two different things in these two references. Teicher defined “stored-value devices” on col. 3, lines 21-42 as “any device or apparatus which is able to receive, store, and transfer electronic cash.” And Teicher further states that in a system according to his invention, “a payment card contains at least one electronic purse, which serves as a stored-value device.” (Teicher col. 3, lines 29-32). Such electronic purses are illustrated in FIGs 1A, 4A, 11 and 12 of Teicher, and this requires a storage element or memory device on the card, such as provided on smart cards and the like. And Teicher relies on the financial institution since directed towards a heterogeneous stored-value system in which each payment card further incorporates a charge function (see FIGs 1A and 4A, item 8-6, FIG. 11, item 200-5, FIG. 12, item 300-4, etc.).

In Graves, there is no such stored-value device but instead Graves’ disclosure is directed towards stored-value services. And the “motivation” behind Graves system is improvement of the type of prepaid cards that may be used without the user/customer having to have a bank account, to be linked to a financial institution, or to have any type

of credit account. Thus, it would not be obvious to combine Teicher and Graves in the manner suggested by the Examiner to add cash accounts to Graves.

Claim 20 is amended to clarify that each prepaid account is established by the issuing system, and is associated with at least one of the plurality of valid charge numbers. Graves and Teicher does not show Applicant's invention as recited in claim 20. The issuing system is not a bank or a financial institution. In the present application, an issuing bank 101 is described as having an account database including an issuing system (IS) account DDA 102 that is associated with the issuing system 107 (see page 28, lines 1-20 of Application as filed). The issuing system establishes the prepaid account for the user without the user having to establish a bank account with a bank or any other financial institution.

Applicant respectfully submits that it is not known in the financial services industry to have an issuing system which operates as processor for the charge numbers, which is certified processor for the charge numbers, which is configured to interface an electronic communications network to conduct purchase transactions, and which establishes prepaid accounts associated with at least one charge number as recited in amended claim 20, so that claim 20 is allowable over Graves, Teicher and Kramer. Further, claims 21-36 are allowable as depending upon an allowable base claim. Applicant requests withdrawal of these rejections of claims 21 - 36.

Further with respect to amended claim 27 and claims 28-32, none of the references Graves, Teicher or Kramer, alone or in combination, show or suggest receiving a request from the user for a valid charge number and providing a selected purchase number via the electronic communications network in response to the request

(recited in original claim 20 and now in claim 27). The Examiner only addressed embossing such numbers on cash cards but not an issuing system receiving such request and providing such numbers via an electronic communications network.

Furthermore, O'Leary does not show expiring a selected purchase number after authorizing the purchase transaction, where the selected purchase number is selected from the plurality of valid charge numbers provided by a sponsoring bank to the issuing system. O'Leary only references a "unique" transaction number which is included in payment communications, which is not described as a valid charge number at all but simply an incidental number used to identify the transaction rather than enable it.

Further with respect to amended claim 24, none of the references Graves, Teicher, Kramer, or O'Leary, alone or in combination, show or suggest an issuing system detecting an online purchase transaction between the user and an online merchant and providing a selected purchase number via the electronic communications network to consummate the purchase transaction (recited in original claims 24 and 25 and now in claim 24), where the selected purchase number is selected from the plurality of valid charge numbers provided by a sponsoring bank to the issuing system. O'Leary describes the conventional "pull" technology (O'Leary, col. 8, lines 41-58) where the seller pulls the payment from the buyer's account using a debit instruction. But in any such debit transaction as known to those skilled in the art, the buyer must provide the charge number in the first place in order for the seller to access the account of the buyer. And O'Leary's "push" technology is entirely different in which the user pushes "an EFT credit from the IPA or DDA accounts to a merchant's account" (O'Leary, col. 7, lines 8-12).

Applicant respectfully traverses the §103(a) rejection of claim 37 as being unpatentable over Graves and Teicher.

Claim 37 is further amended to clarify that the issuing system processor program enables the issuing system to operate as certified processor for transactions including purchase transactions using any of the plurality of valid charge numbers. Claim 37 is allowable for similar reasons as recited above for claim 20 in that Graves and Teicher does not show an issuing system comprising a storage device that stores an account database of a plurality of prepaid accounts and a plurality of valid charge numbers including a plurality of card numbers and received from an issuing bank, each being associated with a corresponding one of the plurality of valid charge numbers, and a processor program, for interfacing the charge settlement network, that enables the issuing system to operate as certified processor for transactions including purchase transactions using any of the plurality of valid charge numbers.

Applicant again traverses the combination of Graves and Teicher with respect to claim 37 in that there is no suggestion for such combination and the resulting combination does not achieve the invention of claim 37 as previously described. Claims 38 – 54 are also allowable as depending upon an allowable base claim. Applicant requests withdrawal of these rejections.

Furthermore with respect to claims 53 and 54, none of the references Graves, Teicher, Kinker or O’Leary, alone or in combination, show or suggest detecting a request from the user via an electronic communications network for a valid charge number and providing a selected purchase number via the electronic communications network in

response to the request. There is no suggestion in any of these references for combining them in this manner in the first place.

Claims 55-62 are canceled without prejudice, so that the rejections of these claims are moot.

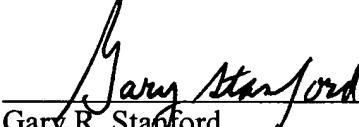
**CONCLUSION**

Applicant respectfully submits that for the reasons recited above and for various other reasons, the rejections and objections have been overcome and should be withdrawn. Applicant respectfully submits therefore that the present application is in a condition for allowance and reconsideration is respectfully requested. Should this response be considered inadequate or non-responsive for any reason, or should the Examiner have any questions, comments or suggestions that would expedite the prosecution of the present case to allowance, Applicants' undersigned representative earnestly requests a telephone conference.

Respectfully submitted,

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